

VETERINARY EXAMINING BOARD
REGULAR MEETING
NOVEMBER 28, 2001

MEMBERS PRESENT: William Bartlett, DVM; James Johnson, DVM; Sarah Kamke;
Larry Mahr, DVM; Elaine McGregor; Diane Scott, DVM

MEMBER EXCUSED: Jean Heyt-Thompson, DVM; Linda Olson, CVT

LEGAL COUNSEL: Wayne Austin

STAFF PRESENT: Patrick D. Braatz, Karen Rude-Evans

GUESTS: Rachel Rothschild, School of Veterinary Medicine; Terri Raffel,
CVT, WVTA; Leslie Grendahl, Dr. Randy Scheutt and Kelly
McDowell, WVMA; Dr. Yvonne Bellay, DATCP; Judy Friedman

CALL TO ORDER

Chair Diane Scott called the meeting to order at 11:15 a.m.

APPROVAL OF AGENDA

Amendments: -Proposed stipulation in the matter concerning James B. Orvick, DVM
-Proposed stipulation in the matter concerning Mark D. Peters, DVM
-Proposed stipulation in the matter concerning Charles A. Mayer, DVM

MOTION: Elaine McGregor moved, seconded by Larry Mahr, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 26, 2001

MOTION: Elaine McGregor moved, seconded by William Bartlett, to approve the Minutes of September 26, 2001, as written. Motion carried unanimously.

PRESENTATION OF PROPOSED STIPULATIONS

GLENN R POPP, DVM

DOE paralegal Steve Engelbrecht presented a proposed stipulation in the matter concerning Glenn R. Popp, DVM. This matter will be deliberated on in closed session.

MARK D PETERS, DVM

DOE attorney Pamela Stach, presented a proposed stipulation in the matter concerning Mark D. Peters, DVM. This matter will be deliberated on in closed session.

JAMES B ORVICK, DVM

DOE attorney Pamela Stach, presented a proposed stipulation in the matter concerning James B. Orvick, DVM. This matter will be deliberated on in closed session.

CHARLES A MAYER, DVM

DOE attorney Mike Berndt, presented a proposed stipulation in the matter concerning Charles A. Mayer, DVM. This matter will be deliberated on in closed session.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

These reports were informational.

REPORT FROM AAVSB/AVMA MEETING

This report was informational.

AAVSB NOMINATIONS FOR VTTC

This item was informational. The AAVSB is looking for nominations of a veterinary technician for the Veterinary Technician Testing Committee for the 2002-2004 term.

REQUIREMENTS FOR TRAINING PERMITS

The Board reviewed Wayne Austin's reply to Senator Risser regarding the requirements for training permits.

MEETING WITH WVMA IN REGARD TO ALTERNATIVE THERAPIES TASK FORCE REPORT

Leslie Grendahl and Randy Schuett, DVM, of the WVMA, met with the Board to discuss the report from the Alternative Therapies Task Force. This issue will need further discussion at the next Board meeting.

REGULATORY DIGEST

Articles are still needed for the *Regulatory Digest*.

ANNOUNCEMENT FROM PATRICK BRAATZ

Patrick Braatz announced that he is leaving the Department of Regulation and Licensing and his last day is November 30th. He has accepted a position with the Department of Workforce Development as a Health Services Liaison. Mr. Braatz said it has been a pleasure working with all of the Boards over the years.

RECESS TO CLOSED SESSION

MOTION: Sarah Kamke moved, seconded by William Bartlett, to recess to closed session pursuant to Chapter 19.85 (1)(a), (b), (f) and (g), Wis. Stats., for the purpose of deliberation of proposed stipulations, reviewing a board order, consideration of an administrative warning, reviewing correspondence relating to denial of license, reviewing case status report and consulting with legal counsel. Roll call vote: William Bartlett – yes, James Johnson – yes, Sarah Kamke – yes, Larry Mahr – yes, Elaine McGregor – yes, Diane Scott – yes. Motion carried unanimously.

Open session recessed at 12:39 p.m.

RECONVENE IN OPEN SESSION

MOTION: Sarah Kamke moved, seconded by William Bartlett, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 1:52 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

PROPOSED STIPULATIONS

JAMES B ORVICK, DVM

MOTION: Elaine McGregor moved, seconded by Sarah Kamke, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning James B. Orvick, DVM. Case advisor was Diane Scott. Larry Mahr abstained. Motion carried.

MARK D PETERS, DVM

MOTION: Sarah Kamke moved, seconded by Elaine McGregor, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Mark D. Peters, DVM. Case advisor Diane Scott. Larry Mahr abstained. Motion carried.

CHARLES A MAYER, DVM

MOTION: Sarah Kamke moved, seconded by Elaine McGregor, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Charles A. Mayer, DVM. Case advisor was Linda Olson. Motion carried unanimously.

GLENN R POPP, DVM

MOTION: Sarah Kamke moved, seconded by Elaine McGregor, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Glenn R. Popp, DVM. Case advisor was Linda Olson. Motion carried unanimously.

REVIEW OF BOARD ORDER

RANDALL J PEABODY, DVM

The Board reviewed the Order of Randall J. Peabody, DVM. No Board action was necessary.

ADMINISTRATIVE WARNING

RICHARD JOSEPH MLEZIVA, DVM

MOTION: Sarah Kamke moved, seconded by Elaine McGregor, to issue an administrative warning in the matter concerning Richard Joseph Mleziva, DVM. Motion carried unanimously.

REVIEW OF CORRESPONDENCE

MARGO MYERS, DVM

The Board reviewed correspondence from Margo Myers, DVM, and directed legal counsel to reply.

CASE STATUS REPORT

MOTION: William Bartlett moved, seconded by Elaine McGregor, to close complaint **01 VET 024** for insufficient evidence. Case advisor was Sarah Kamke. Motion carried unanimously.

MOTION: William Bartlett moved, seconded by Elaine McGregor, to close complaint **01 VET 027** for no violation. Case advisor was Linda Olson. Motion carried unanimously.

MOTION: Sarah Kamke moved, seconded by William Bartlett, to close complaint **95 VET 043** for prosecutorial discretion against respondent J.H. Case advisor was Diane Scott. Larry Mahr abstained. Motion carried.

MOTION: Sarah Kamke moved, seconded by Elaine McGregor, to close complaint **98 VET 033** for no violation against respondent W.L. Case advisor was Diane Scott. Motion carried unanimously.

MOTION: Sarah Kamke moved, seconded by William Bartlett, to close complaint

00 VET 052 for no violation against respondent B.M. Case advisor was
Larry Mahr. Motion carried unanimously.
OTHER BOARD BUSINESS

Elaine McGregor will not be available for meetings or screenings in January, February and
March.

ADJOURNMENT

MOTION: William Bartlett moved, seconded by Sarah Kamke, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 2:01 p.m.

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